

CHAPTER NO. 713

HOUSE BILL NO. 2933

By Representative Briley

Substituted for: Senate Bill No. 2477

By Senator Cohen

AN ACT to amend Tennessee Code Annotated, Section 40-30-306, relative to the duties of the post-conviction defender.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-30-306, is amended by adding the following new subsection:

(e) Where the post-conviction defender determines that it is in the interest of justice, the post-conviction defender may represent, without additional compensation, a death sentenced inmate, who, at the completion of both state post-conviction proceedings and federal collateral review, remains under a sentence of death, if such individual is presently represented by the post-conviction defender or if such individual is not currently represented by the post-conviction defender but is unable to secure counsel due to indigency, during clemency proceedings before the Tennessee board of probation and parole and the governor and in proceedings to determine whether the death sentenced inmate is competent to be executed.

SECTION 2. This act shall take effect on July 1, 2002, the public welfare requiring it.

PASSED: April 24, 2002



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 1st day of May 2002



DON SUNDQUIST, GOVERNOR